

**RALEIGH BOARD OF ADJUSTMENT
DECISIONS
February 8, 2016**

A-2-16 WHEREAS, Unitarian Universalist Fellowship of Raleigh, property owner, requests a modification to their previously approved Special Use Permit for a Special Care Facility with 25 enrollees (A-60-15) to extend their operational hours to 8:00 AM to 6:00 PM, Monday through Friday pursuant to Section 6.2.3.D. of the Unified Development Ordinance on a 3.67 acre property zoned Residential-4 and located at 3313 Wade Avenue.

Decision: Approved as requested.

A-3-16 WHEREAS, Anne Fleming Hunter & Jane Fleming Rabil, property owners, request a 2' corner lot width variance to legalize an existing corner lot as well as a 1' lot depth variance and a 1,208 SF variance to the minimum lot area requirements pursuant to section 2.2.1. of the Unified Development Ordinance to allow for a two lot subdivision which results in a 58' wide corner lot and a 59' deep interior lot that is 2,792 SF on property zoned Residential-10 and Historic Overlay District located at 304 North Person Street and 311 East Lane Street.

Decision: Approved as requested.

A-4-16 WHEREAS, Michael Greenspan, property owner, requests a Special Use Permit to operate a Boardinghouse pursuant to Section 6.2.2.B. of the Unified Development Ordinance on a .15 acre property zoned Residential-10 and Historic Overlay District located at 704 Florence Street.

Decision: Approved with the condition the Special Use Permit is limited to the Jesuit Volunteer Corps as lessee.

A-5-16 WHEREAS, Michael Greenspan, property owner, requests a 3 space variance from the off-street parking requirements set forth in Section 7.1.2. of the Unified Development Ordinance to allow for a 3 bedroom Boardinghouse to have only 2 off-street parking spaces on a .15 acre property zoned Residential-10 and Historic Overlay District located at 704 Florence Street.

Decision: Approved as requested.

A-6-16 WHEREAS, Eric & Emily Griffith, property owners, request a 1.5' side yard setback variance and a 6.4' aggregate sideyard setback variance pursuant to Section 2.2.1. of the Unified Development Ordinance as well as complete relief from the off-street parking requirements set forth in Section 7.1.2. of the Unified Development Ordinance to allow for the expansion of a detached house on a .14 acre property zoned Residential-6 and Special Residential Parking Overlay District located at 2602 Van Dyke Avenue.

Decision: Approved as requested.

A-7-16 WHEREAS, Homestead Triangle Investments, LLC, property owner, requests complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for the construction of a detached house and any accessory structures/impervious surfaces on a .362 acre property zoned Residential-4 and located at 5813 Shawood Drive.

Decision: Approved as requested.

A-8-16 WHEREAS, Lovick Builders, property owner, requests complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for the construction of a detached house and any accessory structures/impervious surfaces on a .306 acre property zoned Residential-4 and located at 1141 Wimbleton Drive.

Decision: WITHDRAWN.

A-9-16 WHEREAS, William C. Kidd III and Mary Lynn Kidd, property owners, request a .3' side yard setback variance and a 1.9' aggregate side yard setback variance to legalize the existing detached house pursuant to Section 2.2.1 of the Unified Development Ordinance and a 4' street setback variance from the infill compatibility requirements set forth in Section 2.2.7.C to construct an attached carport resulting in a 4.7' side yard setback, a 13'1 aggregate side yard setback and a 28.9' street yard setback on a .21 acre property zoned Residential-6 and Special Residential Parking Overlay District and located at 2721 Van Dyke Avenue.

Decision: Approved as requested.

A-12-16 WHEREAS, Elva Gomez Rojas and Aniceto Villarroel Romero, property owners, request a variance from all of the forestation requirements set forth in Section 9.1.9.A. of the Part 10 A Unified Development Ordinance to allow for the construction of a detached house on a .29 acre property zoned Residential-6 Conditional Use District and Urban Watershed Protection Overlay District located at 2901 Schubba Court.

Decision: Approved as requested.

A-13-16, WHEREAS, Crabtree North, LLC, property owner, requests a 10' variance to the required depth of a transit easement required by Condition 2 of Zoning Case Z-7-12, to permit a transit easement measuring 5' in depth for properties totaling 1.34 acres zoned Shopping Center Conditional Use and Pedestrian Business Overlay District and located at 4501, 4505 and 4509 Lead Mine Road.

Decision: Approved as requested.

A-14-16, WHEREAS, Robuck Partners, property owner, requests complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for a two lot subdivision and the construction of a detached house and any accessory structures/impervious surfaces on each one of the two subdivided lots,

the one of which today is currently a .22 acre property zoned Residential-10 and located at 719 Sasser Street.

Decision: Approved as requested.

A-15-16, WHEREAS, Robuck Partners, property owner, requests complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for a two lot subdivision and the construction of a detached house and any accessory structures/impervious surfaces on each one of the two subdivided lots, the one of which today is currently a .28 acre property zoned Residential-10 and located at 719 Virginia Avenue.

Decision: Approved as requested.

A-16-16, WHEREAS, Robuck Partners, property owner, requests complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for a two lot subdivision and the construction of a detached house and any accessory structures/impervious surfaces on each one of the two subdivided lots, the one of which today is currently a .27 acre property zoned Residential-10 and located at 600 Virginia Avenue.

Decision: Approved as requested.

A-17-16, WHEREAS, Robuck Partners, property owner, requests complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for a two lot subdivision and the construction of a detached house and any accessory structures/impervious surfaces on each one of the two subdivided lots, the one of which today is currently a .23 acre property zoned Residential-10 and located at 715 Sasser Street.

Decision: Approved as requested.

A-18-16, WHEREAS, Jones Darton, LLC, property owner, requests a variance to Neighborhood Transitions required by Section 3.5 of the Unified Development Ordinance to permit, in lieu of Zones A, B, and C, a 15' wide undisturbed area and a building setback of 20' as measured along the common boundary line with that .22 acre parcel identified as lot 1208/Common Area on the plat recorded in Book of Maps 2007, Page 158 and with PIN 1748405838 for 2.2 acre property zoned NX-3-PK-CU and located at 8504 Darton Way.

Decision: Approved as requested.

A-20-16, WHEREAS, J. Russell Allen and W. Craig Allen, TR, Tephra Development, LLC and Allen Ventures, LLC, property owners, request relief from the active stormwater control measures and requirements set forth in Section 9.2.2.A. of the Unified Development Ordinance to provide a stormwater exemption for a proposed .23 acre recombination of three lots zoned Buffer

Commercial, Office and Institution-2 and Neighborhood Conservation Overlay District and located at 0 East Edenton Street and 527, 529 and part of 531 New Bern Avenue.

Decision: Approved as requested.

A-21-16, WHEREAS, J. Russell Allen and W. Craig Allen, TR and Allen Ventures, LLC, property owners, request relief from the active stormwater control measures and requirements set forth in Section 9.2.2.A. of the Unified Development Ordinance to provide a stormwater exemption for a proposed recombination of 5 lots into 2 lots zoned Office and Institution-2 and Neighborhood Conservation Overlay District and located at 531 and 539 New Bern Avenue.

Decision: Approved as requested.

A-22-16, WHEREAS, Sterling Developers, LLC, property owner, requests complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for the construction of a detached house and any accessory structures/impervious surfaces on a .21 acre property zoned Residential-10 and located at 1421 Nottingham Road.

Decision: Approved as requested.

A-23-16, WHEREAS, Sterling Developers, LLC, property owner, requests complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for the construction of a detached house and any accessory structures/impervious surfaces on a .18 acre property zoned Residential-10 and located at 1423 Nottingham Road.

Decision: Approved as requested.

A-24-16, WHEREAS, Sterling Developers, LLC, property owner, requests complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for the construction of a detached house and any accessory structures/impervious surfaces on a .18 acre property zoned Residential-10 and located at 1425 Nottingham Road.

Decision: Approved as requested.

A-25-16, WHEREAS, Lyndsay Robin Dalby Hanna, property owner, requests complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for the construction of a detached house and any accessory structures/impervious surfaces on a .21 acre property zoned Residential-10 and Neighborhood Conservation Overlay District and located at 816 W. Johnson Street.

Decision: Approved as requested.

A-26-16, WHEREAS, Henry and Rebecca Hancock, property owners, request complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for the construction of a detached house and any accessory structures/impervious surfaces on a .66 acre property zoned Residential-2 and located at 2403 White Oak Road.

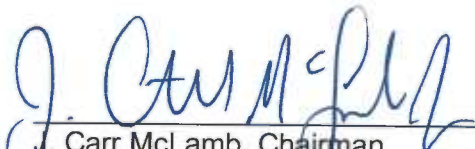
Decision: WITHDRAWN.

A-27-16, WHEREAS, Clarence M. and Juli Trexler, property owners, request complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for the construction of a detached house and any accessory structures/impervious surfaces on a .60 acre property zoned Residential-6 and Special Residential Parking Overlay District located at 323 Shepherd Street.

Decision: WITHDRAWN.

A-28-16, WHEREAS, Ruth Ann Taylor Long and Betty Adams Taylor, property owners, request a variance from all of the forestation requirements set forth in Section 9.1.9.A. of the Part 10 A Unified Development Ordinance to allow for the construction of a detached house on a .97 acre property zoned Residential-4 and Urban Watershed Protection Overlay District located at 9600 Fonville Road.

Decision: Approved as requested.



J. Carr McLamb, Chairman
Raleigh Board of Adjustment

2/16/16

Date